

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Gladys Nicole Pierce,) C/A No.: 2:22-cv-04390-RMG
Plaintiff,)
v.) **NOTICE OF REMOVAL**
Rogelio Arreguin and Bentwood Farms,)
LLC,)
Defendants.)

TO: THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, CHARLESTON DIVISION:

The Petitioners, Defendants Rogelio Arreguin and Bentwood Farms, LLC (hereinafter “Defendants”), by and through their undersigned counsel, respectfully show this Court that:

1. Petitioner, Rogelio Arreguin, is a Defendant in the above-entitled action. Petitioner is an individual, and at all times relevant to the Plaintiff's Amended Complaint, was a citizen and resident of the State of North Carolina.

2. Petitioner, Bentwood Farms, LLC, is a Defendant in the above-entitled action. Petitioner is a limited liability company, and at all times relevant to the Plaintiff's Amended Complaint, was domiciled in the State of North Carolina.

3. Gladys Nicole Pierce is the Plaintiff in the case, and, upon information and belief, is or may be a citizen and resident of the State of South Carolina, as alleged in Plaintiff's Amended Complaint. Therefore, all of the parties to this action are diverse.

4. On or about October 10, 2022, the above-entitled action was filed in the Berkeley County Court of Common Pleas as case number 2022-CP-08-02436. On or about October 20, 2022, Plaintiff filed an Amended Complaint in this action.

5. Upon information and belief, on or about November 4, 2022, Petitioner/Defendant Arreguin was served with the Amended Summons and Complaint in this action. Additionally, upon information and belief, on or about November 7, 2022, Petitioner/Defendant Bentwood Farms, LLC, was served with the Amended Summons and Complaint in this action. No Answers have been filed yet in the case. The above-entitled action is a personal injury action involving an automobile collision between Plaintiff and Petitioner/Defendant Arreguin on or about October 20, 2022, in Berkeley County, South Carolina. Plaintiff alleges negligence, among other things, against Petitioners/Defendants.

6. In the Amended Complaint, the Plaintiff's prayer for relief was left open. The undersigned counsel has requested clarification from Plaintiff's counsel as to whether Plaintiff's claim for damages in this action will or will not be less than \$75,000. As of the filing of this Notice of Removal, Plaintiff's counsel has not provided a response to this issue. The undersigned counsel for Petitioners/Defendants is informed and believes that Plaintiff's claim for damages may exceed \$75,000, but does not know for sure at this time.

7. The parties to this action are diverse and a verdict in the case may be in excess of \$75,000 based upon the current information and belief of the undersigned counsel. Therefore, this Court has jurisdiction pursuant to 28 U.S.C. § 1332, and this case is eligible for removal pursuant to 28 U.S.C. § 1441. This Notice of Removal is timely because it is filed within 30 days of service on Petitioners/Defendants.

8. Copies of all state court pleadings allegedly served on Petitioners/Defendants and filed with the Berkeley County Clerk of Court to date are attached as Exhibit A. The Clerk of Court for Berkeley County, South Carolina, is being provided with a copy of this Notice of Removal contemporaneously with this filing via the State of South Carolina E-Filing system, and

Petitioners/Defendants are serving a copy of this Notice on counsel for the Plaintiff contemporaneously with this filing.

WHEREFORE, Petitioners/Defendants request that the above-entitled action be removed from the Berkeley County Court of Common Pleas to this Court.

Respectfully submitted,

s/Brandon P. Jones

Brandon P. Jones, FED ID #10884
The McKay Firm, P.A.
3700 Forest Drive, Suite 404 (29204)
P.O. Box 7217
Columbia, SC 29202
Tel: (803) 705-2152
Fax: (803) 765-1839
Email: bjones@mckayfirm.com
Attorney for Petitioners/Defendants

Columbia, South Carolina
December 5, 2022